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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/712,749	11/14/2000	Chia-Yu Fu	CT00-020	9765

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MOTOROLA, INC.
CORPORATE LAW DEPARTMENT - #56-238
3102 NORTH 56TH STREET
PHOENIX, AZ 85018

EXAMINER

NGUYEN, DAVID T

ART UNIT PAPER NUMBER

3723

DATE MAILED: 01/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/712,749

Applicant(s)

FU ET AL.

Examiner

David Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 14 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 25 is/are allowed.
- 6) ☒ Claim(s) 1-13 and 15-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to: _____
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. In view of applicant's arguments filed November 25, 2002, claims 1-13, and 15-25 will be examined in the instant application. Claims 14, and 26-32 are withdrawn from consideration as being to a non-elected invention.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4; 6; 8-10; 13,15; 17-20 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Kubota et al (5,644,107).

Kubota et al discloses a method of fabricating a low profile integrated module.

Kubota et al discloses a first sheet of material defining two adjacent integrated module first components 10, and forming a via extending through the first sheet between the two adjacent integrated module first components 18, 19; filling the via with a conductive metal; providing a second sheet of material 17 defining two adjacent integrated module second component; fixing the first and second sheets in overlying relationship with the two adjacent integrated module first component aligned with the two adjacent integrated modules second components to form two adjacent integrated modules fig. 2; cutting the first and second sheets (column 5, line 36); through the via to separate the first and second sheets into separate integrated modules, each module having a portion of the via filled with conductive metal (column 6, line 9) in a periphery

thereof and extending along a portion of the periphery fig. 3. Kubota et al also disclose the sheets of printed circuit boards 31 conductive metal includes filling the via with a solder paste, providing sheets of unfired ceramic material, partially overlapping, holes to define a single via with an elongated cross section (column 7, lines 61-63)

Kubota et al also discloses a plurality of first sheets of material each including a via extending there through and a plurality of second sheets of material 10, fixing the first and second sheets in overlying relationship (fig 2), firing the unfired sheets (column 6, line 43), and the connection pad (figs. 5, 6).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubota et al in view of Shigemi et al '334.

Kubota et al is explained above. Kubota et al also discloses the sheets of unfired ceramic material, but do not disclose the sheets of Al_2O_3 and glass particles (claim 5). However, with reference to column 2, lines 37-47, Shigemi et al discloses "glass powder such as a CaO , Al_2O_3 , SiO_2 comprising a binder, a plasticizer, and solvent, may be used". Shigemi et al enriches the process by providing more and difference types of material for the process. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the method of Kubota et al by providing the sheets of unfired ceramic material to

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include sheets Al_2O_3 , glass particles and a binder of in view of the teachings of Shigemi to thereby enrich the process.

Kubota et al do not disclose a conductive metal with a melting temperature greater than the firing temperature (claim 7). However, with reference to column 3, lines 19-54, Shigemi et al discloses “ the conductive paste has a sintering (melting) temperature higher than that of the green sheet”, in order to prevent the conductive paste from melting and leaking out of the holes in the process of firing of the green sheets. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the method of Kubota et al by providing a conductive metal with a melting temperature greater than the firing temperature in view of Shigemi in order to prevent the conductive paste from melting and leaking out of the holes in the process of firing of the green sheets.

6. Claims 11, 12, 21, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubota et al.

Kubota et al is explained above. Regarding claims 11 and 21, Kubota et al discloses the pluralities provided result in the common via, but Kubota et al does not disclose in detail “the extending in a range from approximately ...an upper sheet”; however; figs 5 and 6. Regarding claims 12 and 22, Kubota et al discloses forming a hole, but does not disclose in detail a cross sectional dimension range of approximately 125-to 500 μm . However, the exact dimensions of the product would have been an obvious matter of design choice to one having ordinary skill in the art, since such modifications would have involved a mere change in the size of the design. It should be noted that a change in size is generally

recognized as being within the level of ordinary skill in the art. In re Rose, 105 USPQ 237 (CCPA 1955).

Allowable Subject Matter

7. Claims 16, and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
8. Claim 25 is allowed.

Response to Arguments

9. Applicant's arguments filed November 25, 2003 have been fully considered but they are not persuasive.

In response to applicant's argument that the reference (Kubota) fails to disclose the inclusion of the step of providing a connection pad on a lower surface of a lowermost first sheet of unfired ceramic material and contacting the lower surface of the portion of the via filled with conductive metal. In Kubota drawing figures 5 and 6 disclose a built-in connection pad (part of a lower surface of a lowermost first sheet). This design provides more rigidity. Also, it eliminates some steps of production, saves time and material. Also, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nakamura et al discloses a method of manufacturing a ceramic substrate.

Farooq et al discloses a method of selectively depositing a metallic layer on a ceramic Substrate.

Bergstedt discloses a process for manufacturing a multi-layer circuit board with supporting layers of different materials.

Ryan discloses multi-layer circuit board techniques.

Sakai discloses a multi-layer electronic component and a method of manufacturing the same.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Nguyen whose telephone number is 703-305-5712. The examiner can normally be reached on 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 308-2687. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9302 for regular communications and 703-872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0000.

tdn
January 3, 2003

✓
Timothy V. Eley
Primary Examiner